

REMARKS

Claims 1-26 are pending. Claims 1, 11 and 20 are amended herein. No new matter is added as a result of the claim amendments. Support for the claim amendments is found at least on page 11, line 27, of the instant application.

103 Rejections

Claims 1-6, 9, 11-15, 18, 20 and 22

The instant Office Actions states that Claims 1-6, 9, 11-15, 18, 20 and 22 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Monteiro et al. ("Monteiro;" U.S. Patent No. 5,983,005) in view of Hodge (U.S. Patent Application Publication No. 2002/0007494). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 1-6, 9, 11-15, 18, 20 and 22 is not anticipated nor rendered obvious by Monteiro and Hodge, alone or in combination.

Applicants respectfully agree with the statements in the instant Office Action that Monteiro does not teach the encoding of an item of media data into two bitstreams that are decodable independent of one another. Applicants respectfully disagree that Hodge overcomes this shortcoming.

According to independent Claims 1, 11 and 20, an item of media content (read, the same item of media content) is encoded as at least two multiple description bitstreams, which are distributed concurrently to a client (read, the same client) but along different transmission paths. According to Claims 2-4 and 11-13, the multiple description bitstreams are complementary, where "complementary" has its ordinary meaning.

Applicants respectfully submit that Hodge (alone or in combination with Monteiro) does not show or suggest these features. Hodge appears to only describe the encoding of an item of media content. Applicants respectfully submit that Hodge, alone or in combination with Monteiro, does not show an item of media content being encoded as (at least) two bitstreams, and in particular as (at least) two complementary bitstreams. Furthermore, Applicants respectfully submit that Hodge, alone or in combination with Monteiro, does not show or suggest the (at least) two bitstreams, which constitute the item of media content in encoded form, being distributed concurrently to a client along different network paths.

More specifically, Applicants respectfully submit that Monteiro and Hodge, alone or in combination, do not show or suggest “encoding an item of content comprising media data to be streamed to said client into a first multiple description bitstream and into a second multiple description bitstream ...; and distributing concurrently said first and second multiple description bitstreams to a plurality of servers placed at intermediate nodes throughout a network, such that said first and second multiple description bitstreams are provided to said client via a plurality of transmission paths” as recited in independent Claim 1. Claims 2-6 and 9 are dependent on Claim 1 and recite additional limitations.

Also, Applicants respectfully submit that Monteiro and Hodge, alone or in combination, do not show or suggest “encoding an item comprising media data to be streamed to said client into a first complementary multiple description bitstream and into a second complementary multiple description bitstream, each of said first and second complementary multiple description bitstreams containing complementary information not included in the other of said first and second complementary multiple description

bitstreams, ...; and distributing concurrently said first complementary multiple description bitstream and said second complementary multiple description bitstream to a plurality of servers placed at intermediate nodes throughout a network, such that said first and second multiple description bitstreams are provided to said client via a plurality of transmission paths” as recited in independent Claim 11. Claims 12-15 and 18 are dependent on Claim 11 and recite additional limitations.

Furthermore, Applicants respectfully submit that Monteiro and Hodge, alone or in combination, do not show or suggest “a first server ... having a first multiple description bitstream of encoded said media data stored thereon, said first server adapted to transmit said first multiple description bitstream of encoded said media data to a client via a first path; and a second server ... having a second multiple description bitstream of encoded said media data stored thereon ..., said second server adapted to transmit said second multiple description bitstream of encoded said media data to said client via a second path, said first and second servers concurrently transmitting said first and second multiple description bitstreams such that said first and second multiple description bitstreams are provided to said client via a plurality of transmission paths” as recited in independent Claim 20. Claim 22 is dependent on Claim 20 and recites additional limitations.

In summary, Applicants respectfully submit that Monteiro and Hodge, alone or in combination, do not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 11 and 20, and that these claims are considered patentable over Monteiro and Hodge (alone or in combination). Because Claims 2-6, 9, 12-15, 18 and 22 depend from either Claim 1, 11 or 20 and contain additional limitations, these

claims are also considered patentable over Monteiro and Hodge (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 1-6, 9, 11-15, 18, 20 and 22 under 35 U.S.C. § 103(a) is traversed.

Furthermore, based on the rationale presented above, Applicants respectfully submit that media data, encoded into complementary bitstreams and having the properties recited in Claims 2-4 and 12-13, is not shown or suggested by Monteiro and Hodge (alone or in combination). For this additional reason, Applicants respectfully submit that the basis for rejecting Claims 2-4 and 12-13 under 35 U.S.C. § 103(a) is traversed.

Claims 7-8, 10, 16-17, 19 and 23-26

The instant Office Actions states that Claims 7-8, 10, 16-17, 19 and 23-26 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Monteiro and Hodge in view of Gershman et al. ("Gershman;" U.S. Patent No. 6,401,085). The Applicants have reviewed the cited references and respectfully submit that the present invention as recited in Claims 7-8, 10, 16-17, 19 and 23-26 is not anticipated nor rendered obvious by Monteiro, Hodge and Gershman, alone or in combination.

Claims 7-8 and 10 are dependent on Claim 1 and recite additional limitations. Claims 16-17 and 19 are dependent on Claim 11 and recite additional limitations. Claims 23-26 are dependent on Claim 20 and recite additional limitations. Hence, by demonstrating that Monteiro, Hodge and Gershman (alone or in combination) do not show or suggest the limitations of Claims 1, 11 and 20, it is also demonstrated that Monteiro, Hodge and Gershman (alone or in combination) do not show or suggest the limitations of Claims 7-8, 10, 16-17, 19 and 23-26.

As presented above, Applicants respectfully submit that Monteiro and Hodge (alone or in combination) do not show or suggest the embodiments of the present invention recited in independent Claims 1, 11 and 20. Applicants also respectfully submit that Gershman does not overcome the shortcomings of Monteiro and Hodge.

Specifically, Applicants respectfully submit that Gershman, alone or in combination with Monteiro and Hodge, does not show or suggest an item of media content being encoded as two bitstreams, and in particular as (at least) two complementary bitstreams. Furthermore, Applicants respectfully submit that Gershman, alone or in combination with Monteiro and Hodge, does not show or suggest the (at least) two bitstreams, which constitute the item of media content in encoded form, being distributed concurrently to a client along different network paths.

Therefore, Applicants respectfully submit that Gershman, alone or in combination with Monteiro and Hodge, does not show or suggest the embodiments of the present claimed invention recited in independent Claims 1, 11 and 20, and that these claims are considered patentable over Monteiro, Hodge and Gershman (alone or in combination). Because Claims 7-8, 10, 16-17, 19 and 23-26 depend from either Claim 1, 11 or 20 and contain additional limitations, these claims are also considered patentable over Monteiro, Hodge and Gershman (alone or in combination). Therefore, Applicants respectfully submit that the basis for rejecting Claims 7-8, 10, 16-17, 19 and 23-26 under 35 U.S.C. § 103(a) is traversed.

Conclusions

In light of the above remarks, Applicants respectfully request reconsideration of the rejected claims.

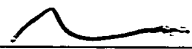
Based on the arguments presented above, Applicants respectfully assert that Claims 1-26 overcome the rejections of record and, therefore, Applicants respectfully solicit allowance of these claims.

The Examiner is invited to contact Applicants' undersigned representative if the Examiner believes such action would expedite resolution of the present Application.

Respectfully submitted,

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